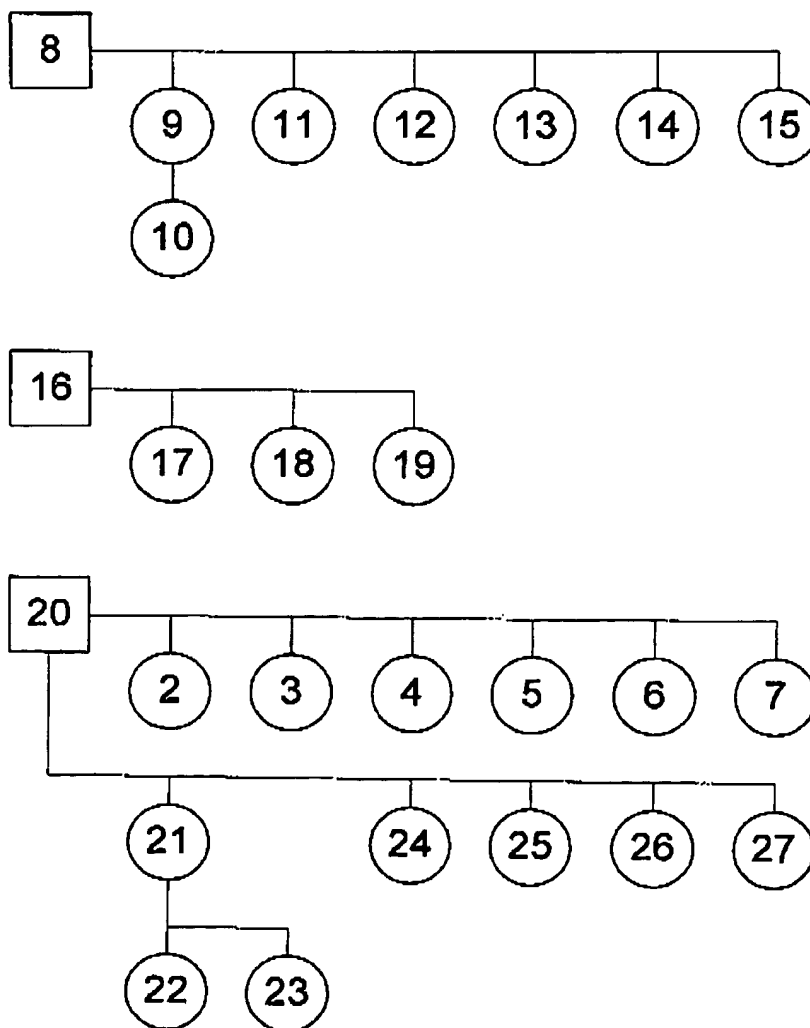


In re Application of CONRAD et al.
Application No. 09/527,546

REMARKS

Reconsideration of the application is respectfully requested. An Office action mailed April 19, 2004 is pending in the application. Applicants have carefully considered the Office action and the references of record. In the Office action, claims 1-19 were rejected under 35 U.S.C. § 103. In this response to the Office action, claim 1 has been canceled, claims 2-8, 16, and 19 have been amended, and claims 20-27 have been added. Therefore, claims 2-27 are pending in the application. The following diagram depicts the relationship between the independent and dependent claims.



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Examiner Interview And Rejections Of The Independent Claims Under 35 U.S.C. § 103

Applicants thank Examiner Parton for the courtesy of a telephone interview on June 22, 2004 to discuss the Office action mailed April 19, 2004. Applicants were represented by Mr. Dodson. During the interview, proposed amendments to independent claims 8 and 16, as well as newly added independent claim 20, were discussed were discussed with respect to the teachings of U.S. Patent No. 5,781,703 to Desai et al. (hereinafter *Desai*) and U.S. Patent No. 5,796,633 to Burgess et al. (hereinafter *Burgess*).

As noted in the Interview Summary (paper number 11), Examiner Parton indicated that with the proposed amendments, formally presented herein, independent claims 8 and 16 overcome the Office action rejections under 35 U.S.C. § 103. According to Examiner Parton, the third independent claim in the claim set, newly added independent claim 20, may require further examination.

Newly Added Claims

Claims 20-27, including independent claim 20, have been added in this amendment to more particularly point out and distinctly claim the invention as described by the specification. In compliance with 37 C.F.R. § 1.121(f), they do not add new matter.

In particular, independent claim 20 clarifies the nature and role of the plug-in module in various embodiments of the invention. For example, claim 20 requires that each plug-in module exports a set of functions to the client module, including first and second functions for (1) registering with the client module the set of performance metrics tracked by the plug-in module and (2) passing one or more of the set of performance metrics to the client module.

Each plug-in module ... exports a set of functions to the client module, the set of functions comprising:

a first function for registering the first set of performance metrics with the client module; and

a second function for passing at least one of the first set of performance metrics to the client module.

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Application No. 09/527,546

(Claim 20). Neither *Desai* nor *Burgess*, nor any of the art of record, alone or in combination, discloses a plug-in module as claimed. Independent claim 20 is thus patentable for at least this reason.

The Remaining Dependent Claims

Each of claims 8, 16 and 20 discussed above is in independent form, whereas all of the remaining claims depend directly or indirectly on one of these three independent claims. The dependent claims are allowable for at least the same reasons that the three independent claims 8, 16 and 20 are allowable in that the dependent claims incorporate the features of the independent claims. Nevertheless, the dependent claims further define subject matter not shown or rendered obvious by the prior art of record. Because the independent claims are allowable over the applied prior art, applicants do not believe remarks addressing this further subject matter are necessary herein.

CONCLUSION

The application is considered in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue. If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,



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